

2 November 2003

**Military Police**

**REGISTRATION, POSSESSION, AND USE OF  
PRIVATELY OWNED WEAPONS AND AMMUNITION**

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**Summary.** This regulation prescribes policies and procedures for the possession, registration, and control of privately owned weapons and ammunition on Fort Huachuca. Changes include the designation of alternate storage locations; the requirement for registration and command briefings; the distribution of FH Form 190-6-R-E (Registration of Privately Owned Weapon); designation of authorized locations of use; the addition of an amnesty program; and the restrictions for minors to possess weapons.

**Applicability.** This regulation applies to all individuals who enter or remain on Fort Huachuca with a privately owned weapon. It applies in all cases where it is more restrictive than state or federal law.

**Supplementation.** Supplementation of this regulation is prohibited without approval from the proponent.

**Suggested improvements.** The proponent of this regulation is the Directorate of Public Safety, USAIC&FH. Users may send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) through channels to Commander, U.S. Army Intelligence Center and Fort Huachuca, AZ 85613-7000.

**Availability.** This publication is available on the Fort Huachuca homepage at <http://huachuca-www.army.mil>.

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\*This regulation supersedes FH Regulation 190-14, 28 December 1994.

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**1. Purpose.**

In accordance with (IAW) Army Regulation (AR) 190-11, this regulation prescribes requirements for the possession and registration of privately owned weapons (POWs) on Fort Huachuca and provides information on state and local laws pertaining to the ownership and possession of weapons in the State of Arizona. A copy of this regulation including appendix A is to be placed on all unit and activity bulletin boards on Fort Huachuca.

**2. References.**

- a. Required publication. AR 190-11 (Physical Security of Arms, Ammunition, and Explosives), 30 Aug 01.
- b. Prescribed form. FH Form 190-6-R-E (Registration of Privately Owned Weapon), May 97.
- c. Referenced Forms.
  - (1) DA Form 2028 (Recommended Changes to Publications and Blank Forms), Feb 74.
  - (2) DA Form 3749 (Equipment Receipt), Jan 82.
  - (3) DA Form 4137 (Evidence/Property Custody Document), 1 Jul 76.

### **3. Explanation of abbreviations.**

- a. AR..... Army Regulation
- b. IAW....in accordance with
- c. NCO...noncommissioned officer

### **4. Responsibilities.**

- a. Commanders are responsible for the control of privately owned weapons within their respective units/unit area.
- b. The Provost Marshal Office, Directorate of Public Safety provides for weapons registration.
- c. The Staff Judge Advocate is responsible for ensuring applicable federal, state and local laws and regulations are in accord with this regulation.
- d. All individuals with privately owned weapons on Fort Huachuca will comply with this regulation.

### **5. Violations.**

The provisions of this regulation pertain to all persons assigned to, in temporary duty status, or employed on Fort Huachuca; and their dependents and guests. In addition, all persons not specified above who transport a privately owned weapon onto Fort Huachuca are subject to appropriate State and Federal Statutes. An active duty military member found in violation of this regulation is subject to administrative and/or judicial action under article 92, Uniform Code of Military Justice. Other persons are subject to administrative actions or prosecution in federal court under Title 18, United States Code.

### **6. Registration policy.**

- a. All personnel (including but not limited to active duty, retired, National Guard, and reserve military and their family members; Department of Defense employees and their family members; and civilians who are not affiliated with Fort Huachuca) who desire to maintain, frequently use, or transport a privately owned weapon on this installation will register the weapon(s) with the Provost Marshal Office within three duty days. Paragraph 9 lists the types of registration issued.

b. The state of Arizona does not require the registration of privately owned weapons; however, there are possession and use laws which are strictly enforced on the installation. Specifically, Fort Huachuca strictly enforces A.R.S. § 13-3102, subsections 10 through 13; and A.R.S. § 13-3108, subsection C.5.

c. Weapons to be registered are not to be brought to Vehicle/Weapons Registration (Building 41414). Only the bill of sale or other documentation indicating the make, model, and serial number is necessary. If documentation does not exist, a statement listing the required information and witnessed by the unit commander or a notary public may be presented.

## **7. Registration required.**

The following items, not falling within the definition of prohibited weapons (see paragraph 15), are authorized to be brought onto the installation and must be registered-

- a. Shotguns.
- b. Rifles.
- c. Handguns.
- d. All war trophy weapons.
- e. Antique and replica firearms with operational firing mechanisms.
- f. Fully automatic weapons (if properly registered with the Bureau of Alcohol, Tobacco, and Firearms, U.S. Department of Treasury).
- g. Curios and relics (such as shot pistols).
- h. Shoulder stocked pistols and revolvers.
- i. Muzzle loading weapons.
- j. Cross bows.
- k. Black privately owned weaponder guns.
- l. Martial Arts "throwing stars."
- m. Stun guns.

## 8. Registration not required.

The following types of weapons do not require registration-

- a. Air rifles and pistols; and BB, pellet, and dart guns.
- b. Bows and/or arrows.
- c. Hatchets, knives, daggers, swords, spears, or similar instruments with a blade or cutting edge.
- d. Sling shots
- e. Boomerangs.
- f. Spear guns or similar devices.
- g. Starter pistols.

## 9. Types of registration.

a. Class A registration permits the owner to retain the weapon in his or her family, bachelor, officer, or noncommissioned officer (NCO) quarters (excluding those located in barracks); unit arms room; or Sportsmen's Center (with written authorization from the unit commander). Class A registration applies primarily to soldiers and/or their family members residing in family, bachelor, officer, or NCO quarters (excluding those located in barracks).

b. Class B registration permits the owner to retain the weapon on post in the arms room of his or her unit or the Sportsmen's Center (with written authorization from the unit commander). Class B registration applies primarily to soldiers who live in the barracks.

c. Class C registration is a temporary registration and permits the owner to register his or her weapon for a period of 24 hours. Class C registration applies primarily to guests of the installation or those transiting through the installation who do not desire to maintain a permanent registration.

d. Class D registration permits the sponsor of sanctioned shooting matches and/or similar sporting events to provide for the registration of participants with prior coordination with the Vehicle/Weapons Registration.

e. Class E registration permits soldiers to store their weapons at a location other than those specified in registration classes A and B. This registration class requires written authorization from the unit commander at the time of registration clearly stating the approved alternate storage location.

f. It is a soldier's responsibility to notify his/her commander and the Vehicle/Weapons Registration Section immediately whenever a weapon is transferred and/or the storage location is changed.

## **10. Registration procedures.**

a. Privately owned weapons are registered by completing FH Form 190-6-R-E for each weapon registered. An appropriate expiration date (not to exceed 3 years) will be established at the time of registration during duty hours. Forms are available at the Main Gate and Whitside Hall, building 41330, Vehicle/Weapons Registration. The FH Form 190-6-R-E is used to specify the authorized storage location (address) of the weapon; provide the owner proof of registration; and provide the commander a record of assigned or attached personnel who have registered a privately owned weapon on the installation. The original and second copy of FH Form 190-6-R-E is retained by the individual registering the weapon. The original must be maintained with the weapon at all times.

b. The first copy is maintained by the Vehicle/Weapons Registration Section. All FH Forms 190-6-R-E will be turned in to Vehicle/Weapons Registration upon out-processing from Fort Huachuca or when a weapon is traded, sold, or otherwise disposed of. The Vehicle/Weapons Registration Section must be notified in person any time information on the registration form changes.

## **11. Registration briefing.**

All personnel registering a weapon on Fort Huachuca will be required to read this regulation and a prepared safety briefing and sign an acknowledgment stating they understand the provisions of the regulation at the time of registration.

## **12. Storage.**

a. Unit commanders will store privately owned weapons of soldiers residing in the barracks in the unit arms room IAW AR 190-11 unless they have provided the owner written authorization to store the weapon at the Sportsmen's Center or other location specified in Class E registration. Inventories and storage of privately owned weapons in unit arms rooms will be conducted under the same criteria required with military weapons (AR 190-11). This also applies to privately owned ammunition.

(1) Weapons will be withdrawn only with the written authorization from the commander or his or her designated representative stating the date and time of withdrawal and date and time of return. DA Form 3749 (Equipment Receipt) will be used to receipt for the weapon withdrawn from the arms room. Unit policies will direct that the commander be notified immediately of any discrepancies in the date(s) and time(s) of withdrawal and return.

(2) Commanders will establish detailed policies to provide soldiers access to their weapons for authorized activities during off-duty time and facilitate compliance with this regulation. Units which do not have arms rooms will enter into a written agreement with a unit maintaining an arms room to meet this provision.

b. Under no circumstances will privately owned weapons be taken to or maintained within the barracks area.

c. The storage of privately owned weapons in family, bachelor, officer, or NCO quarters (excluding those located in barracks) is authorized provided that appropriate safety and security measures are applied. Commanders are responsible for ensuring that weapons authorized for storage in quarters are properly secured and maintained IAW this regulation and AR 190-11. The following measures should be applied singularly or in combination to properly secure weapons-

(1) Store weapons unloaded and separate from ammunition. Ammunition should be stored in a separate locked container.

(2) Keep weapons out of reach or access to minor children.

(3) Store weapons with a trigger guard and/or other locking mechanism.

(4) Secure weapons in a locked gun cabinet and/or closet.

(5) Store weapons with the bolt removed. Bolts should be stored in a separate locked container.

d. Privately owned weapons will not be stored in vehicles.

e. Privately owned weapons will not be taken to or maintained in work areas.

### **13. Transportation of privately owned weapons.**

a. Privately owned weapons taken from authorized storage areas will be transported directly to places of authorized use by the most direct route. Upon completion of authorized use, privately owned weapons will be returned directly to the place of authorized storage by the most direct route.

b. Privately owned weapons in vehicles will be placed unloaded in a holster case or scabbard and placed in the vehicle trunk or luggage or glove compartment or placed in plain view if the vehicle is not equipped with these storage areas. Ammunition will be transported separately from the weapon(s) in a location where both the privately owned weapon(s) and ammunition are not within reach of the driver and/or passengers. Motorcyclists may transport unloaded weapons in a holster.

c. Privately owned weapons on persons will be carried unloaded, except while actually hunting or within the confines of an established shooting range. Weapons will not be concealed in any manner. Carrying a weapon in a holster, scabbard, or other carrier which makes it recognizable as a weapon is not considered concealed. No privately owned weapons, including those weapons listed in paragraph 8, will be loaded, unloaded, fired, or otherwise used in housing, troop buildings or picnic areas. In addition, no privately owned weapons, including those listed in paragraph 8, will be loaded, fired, or otherwise used at any other location on the installation except in connection with officially sanctioned hunting or range firing.

#### **14. Authorized locations of use.**

All weapons listed in paragraphs 7 and 8 except martial arts "throwing stars" will be used only in authorized hunting areas and ranges. Martial arts "throwing stars" will be used only in actual training/practice under the supervision of a certified instructor.

#### **15. Prohibited weapons.**

The following are described as prohibited weapons, but as such are not limited to-

a. Any weapon or explosive device which cannot be possessed lawfully under Federal or state law is prohibited on Fort Huachuca.

b. Any firearm capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger unless such firearm is registered in the national firearms registry and transfer records of the U.S. Treasury Department or is classified as a curio or relic by the U.S. Treasury Department.

c. Any rifle with a barrel length of less than 16 inches or shotgun with a barrel length of less than 18 inches, or any firearm made from a rifle or shotgun which, as modified, has an overall length less than 26 inches unless such firearm is registered in the national firearms registry and transfer records of the U.S. Treasury Department or is classified as a curio or relic by the U.S. Treasury Department.



- d. Knuckles of all types, such as brass knuckles or knuckle dusters.
- e. Black jacks, slapjacks, and hand sandbags.
- f. Zip guns.
- g. Switch or slide blade knives.
- h. Knives with a blade 3 ½ inches long or over, when carried concealed.
- i. Any type of weapon carried in a concealed manner.
- j. Police/riot batons, expandable batons (except for use by police,) num-chuks, or other fighting sticks.
- k. Any type of exploding or dangerous burning device, to include dynamite, TNT, primer cord, blasting caps, firecrackers, fireworks, roman candles, sky rockets, torpedoes, cherry bombs, grenades, mines and bombs; the possession of which is not required in the performance of official military duties.

#### **16. Turn-in policy and amnesty program**

- a. Firearms which an owner no longer wants may be turned into the military police desk. The military police desk sergeant will take the weapon and provide the owner a DA Form 4137, Evidence/Property Custody Document.
- b. Ammunition which an owner no longer wants may be turned into the ammunition amnesty point at the Ammunition Supply Point.

#### **17. Command briefing and training.**

Commanders will ensure that all assigned/attached personnel are briefed on the provisions of this regulation, AR 190-11, and applicable state law and provided training on the safe handling of privately owned weapons.

#### **18. Possession of weapons by minors.**

Minors will not possess or otherwise use any weapon listed in paragraphs 7 and 8 except in authorized areas of use under the supervision of an adult. THE CITY OF SIERRA VISTA, ARIZONA HAS ADOPTED SUCH AN ORDINANCE

FH Reg 190-14

(ATZS-IMI-IP)



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